

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Benjamin Deines,

Civil No. 10-4625 (RHK/TNL)

Plaintiff,

ORDER

v.

Michael Astrue, Commissioner of
Social Security,

Defendant.

Based upon the January 4, 2012, Report and Recommendation of United States Magistrate Judge Tony N. Leung (Doc. No. 19), along with all the files, records, and proceedings herein, and no objections to said Report and Recommendation having been filed, **IT IS ORDERED:**

1. The Report and Recommendation (Doc. No. 19) is **ADOPTED**;
2. The Commissioner's Motion for Summary Judgment (Doc. No. 15) is **GRANTED**; and
3. Plaintiff's Motion for Summary Judgment (Docket No. 9) is **DENIED**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: February 1, 2012

s/Richard H. Kyle
RICHARD H. KYLE
United States District Judge